

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

ADVANCED CONCRETE TOOLS, INC.,

Plaintiff,

v.

HERMAN BEACH,

Defendant.

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**Case No. 3:10-cv-1139
Judge Aleta A. Trauger**

ORDER

For the reasons set forth in the accompanying Findings of Fact and Conclusions of Law, the court hereby **ENTERS** judgment for the plaintiff in the amount of \$347,506.96 plus 10% prejudgment interest accruing from October 10, 2008 forward. Entry of this Order shall constitute judgment in the case.¹

It so **ORDERED**.

Enter this 9th day of April 2014.



ALETA A. TRAUGER
United States District Judge

¹The court originally issued a judgment against both Beach and Manown, which the Sixth Circuit vacated on appeal. While that appeal was pending (*i.e.*, before the Sixth Circuit vacated the original judgment), ACT entered into a Forbearance Agreement with Manown and Darwin Gilmore (Manown's owner), whereby Manown agreed to make installment payments over time in return for ACT's promise not to pursue any further rights and remedies against Manown. Conditional on Manown and Gilmore's continued compliance with the terms of the Forbearance Agreement, the Forbearance Agreement effectively removed Manown as a party to this case. Therefore, this Order, which applies to the only remaining defendant, Herman Beach, constitutes judgment in the case.